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Before the FEDERAL COMMUNICATIONS COMMISSION Washington, DC 20554

SEP 24 2001

In the Matter of		PEDERAL COMMUNICATIONS COLSISIONIC OFFICE OF THE SECRETARY
Amendment of Section 73.202(b) Table of Allotments FM Broadcast Stations)	MM Docket No RM
(Bridgeton and Elmer, New Jersey))	

To: Chief, Allocations Branch Policy and Rules Division Mass Media Bureau

PETITION FOR RULE MAKING

Cohanzick Broadcasting Corporation, licensee of Station WSNJ-FM, Bridgeton, New Jersey ("Petitioner") by its counsel, hereby requests that the Commission amend the FM Table of Allotments to delete Channel 299B at Bridgeton, New Jersey, and allot Channel 299B at Elmer, New Jersey as that community's first local service. If the Petition is granted, Petitioner will file an application to modify the license of WSNJ-FM to specify operation on Channel 299B at Elmer.

As demonstrated in the Engineering Exhibit, Channel 299B can be allotted to Elmer, New Jersey at the current WSNJ-FM transmitter coordinates of 39-27-32 North Latitude, 75-12-12 West Longitude consistent with Section 73.207 of the Commission's Rules. See Figure 1. The channel study discloses four preexisting short spacings, which are all grandfathered under Section 73.213 of the Commission's Rules. However, such preexisting short spacings are not a bar to a change in community of license where, as here, the station's transmitter site will not be relocated. See, e.g. Kankakee and Park Forest, Illinois, 16 FCC Rcd 6768 (2001). A 70 dBu signal can be provided to Elmer from the proposed reference point. See Figure 2. No change in

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facilities of WSNJ-FM will be necessary in order to implement this change in community of license.

The proposed change in community of license of WNSJ-FM from Bridgeton to Elmer satisfies the prerequisites set forth in *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 3870 (1989), recon. granted in part, 5 FCC Rcd 7094 (1990) ("Community of License"). First, because no change in facilities is requested, the proposed use of Channel 299B at Elmer is mutually exclusive with its current use at Bridgeton. Second, the Elmer proposal is preferred under the Commission's priorities, since Elmer would receive a first local service (priority 3), while Bridgeton will retain service from Stations WSNJ(AM) and WNJB-FM (priority 4). See Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1982). Elmer is not located in an Urbanized Area and the current 70 dBu contour does not reach any Urbanized Area.

Elmer is a community deserving of a first local service. Located in Salem County, New Jersey, the Borough of Elmer has a population of 1,384 according to the U.S. Census 2000. The U.S. Postal Service has assigned ZIP Code 08318 to Elmer, and maintains a Post Office in Elmer. Elmer is governed by a Mayor and a 6-member Borough Council. Municipal services for the Borough of Elmer include police (Elmer Police Department), fire (Elmer Fire Department), and ambulance service (Elmer Ambulance Corps). Elmer has its own newspaper, the Elmer Times, and its own library, the Elmer Public Library. Public schools include Elmer Elementary, Daretown Elementary, Olivet Elementary, and Arthur P. Schalick High School. Retail establishments include restaurants, grocery stores, hotels, and shops. Residents can attend church services at over a dozen churches in Elmer. See Exhibit A.

Health care facilities in Elmer include the South Jersey Hospital-Elmer, Elmer Family Practice, and Centerton Family Practice. The Appel Farm Arts and Music Center, located in Elmer, hosts a concert series, an arts and music festival, a summer arts camp, and conferences. Campgrounds and recreational facilities available in Elmer include Pavin State Park and Yogi Bear's Jellystone Park at Tall Pines Campground. *See* Exhibit A.

The allotment of Channel 299B to Elmer, New Jersey is in the public interest because Elmer will receive its first local service. Bridgeton will continue to have two local services. The Commission should promptly issue a Notice of Proposed Rule Making as described herein.

Respectfully submitted,

COHANZICK BROADCASTING CORPORATION

By:

Marnie K. Sarver

Wiley Rein & Fielding LLP

1776 K Street, N.W.

Washington, D.C. 20006

(202) 719-7000

Its Counsel

September 24, 2001

Engineering Statement

In Support of a

Petition for Rule Making

Cohanzick Broadcasting Corp.

WSNJ, Elmer, New Jersey

Cohanzick Broadcasting Corp. (herein referred to as "Cohanzick" as well as "The Petitioner"), by means of this petition for rule making, wishes to change its community of license from Bridgeton, New Jersey to Elmer, New Jersey. Cohanzick proposes no technical changes in the current facility of WSNJ.

Engineering Exhibits Explained

Exhibit E, Figure 1 is an allocation study demonstrating the spacing to all co- and adjacent-channel facilities in the area. WSNJ currently has existing short spacing to WGTY, WBYN, WFSI, and WPUR. These short spacings are grandfathered under \$73.213.

Exhibit E, Figure 2 is a coverage map of WSNJ's current F(50,50) 70 dBu contour over the community of Elmer, New Jersey. This map demonstrates that no technical changes are required for WSNJ to cover 100% of Elmer, New Jersey with a 70 dBu contour, in compliance with §73.315 of the Commission's Rules.

Lee S. Reynolds

September /

12585 Old Highway 280 East Suite 102

Chelsea, Alabama 35043

205.618.2020

Engineering Statement

In Support of a

Petition for Rule Making

WSNJ, Channel 299B, Elmer, NJ

39 27 3 75 12 3	REFERENCE 39 27 32 N						Y DATES 09-11-01 09-11-01
Call		Location		Dist	Azi	FCC	
Re:	-	Elmer	NJ	15.06			
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		rence coordinates	for inst	tant facil	lity		
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WGTY	LIC 299B	Gettysburg	PA	156.19	287.0	241.0	
WBYN	LIC 298B	Boyertown	PA	111.76			-57.24
WFSI WPUR	LIC 300B LIC 297B1	Annapolis Atlantic City	MD NJ	135.65 68.50		169.0 71.0	-33.35 -2.50
	no concern	-	MO	66.50	90.9	71.0	-2.50
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RADD	LIC 299B ADD 298B1	Warrenton Fruitland	VA MD	241.19 147.06	251.5 197.1	241.0 145.0	0.19 2.06
WBLS	LIC 298B	New York	NY	176.83	35.4	145.0	7.83
	LIC 296A	Federalsburg	MD	90.00	211.5	69.0	21.00
WKHI	LIC 298B	Exmore	VA	199.83	192.4	169.0	30.83
	LIC 245B	Atlantic City	NJ	65.65	97.6	20.0	45.65
RDEL	DEL 298B	Exmore	VA	222.93	196.3	169.0	53.93
	LIC 299A	Tunkhannock	PA	240.88	342.6	178.0	62.88
WKRF	LIC 300A	Tobyhanna	PA	176.58	355.3	113.0	63.58
WWZY	LIC 296A	Long Branch	NJ	140.26	47.5	69.0	71.26
WWZY.C	CP 296A	Long Branch	NJ	144.23	42.9	69.0	75.23
WEBE	LIC 300B	Westport	CT	256.06	41.3	169.0	87.06
WWYY	LIC 296A	Belvidere	NJ	165.39	1.2	69.0	96.39
WWYY.C		Belvidere	NJ	165.39	1.2	69.0	96.39
WRQX	LIC 297B	Washington	DC	171.63	251.3	74.0	97.63

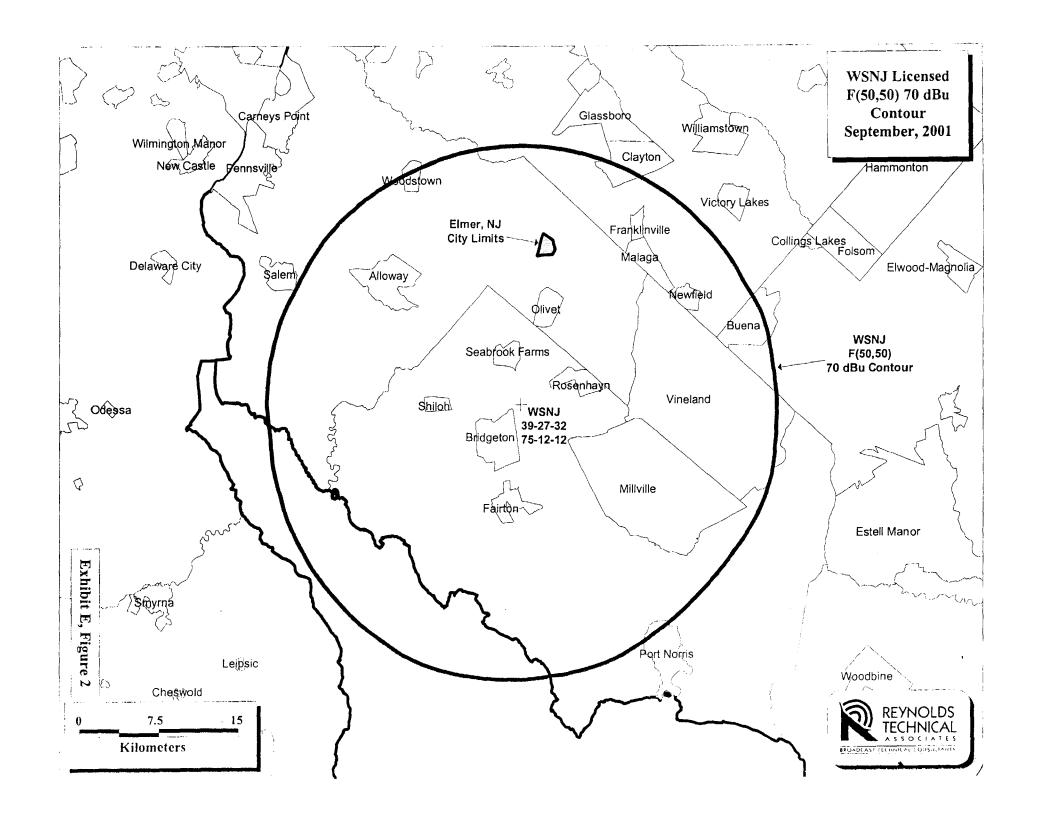


EXHIBIT A



Quick Tables

QT-PL. Race, Hispanic or Latino, and Age: 2000 Data Set: Census 2000 Redistricting Data (Public Law 94-171) Summary File Geographic Area: **Elmer borough, New Jersey**

[All ages		18 years and over		
Subject	Number	Percent	Number	Percent	
RACE					
Total population	1,384	100.0	1,046	100.0	
One race	1,372	99.1	1,041	99.5	
White	1,346	97.3	1,025	98.0	
Black or African American	9	0.7	8	0.8	
American Indian and Alaska Native	0	0.0	0	0.0	
Asian	7	0.5	3	0.3	
Native Hawaiian and Other Pacific Islander	0	0.0	0	0.0	
Some other race	10	0.7	5	0.5	
Two or more races	12	0.9	5	0.5	
HISPANIC OR LATINO AND RACE					
Total population	1,384	100.0	1,046	100.0	
Hispanic or Latino (of any race)	21	1.5	9	0.9	
Not Hispanic or Latino	1,363	98.5	1,037	99.1	
One race	1,356	98.0	1,033	98.8	
White	1,340	96.8	1,022	97.7	
Black or African American	9	0.7	8	0.8	
American Indian and Alaska Native	0	0.0	0	0.0	
Asian	7	0.5	3	0.3	
Native Hawaiian and Other Pacific Islander	0	0.0	0	0.0	
Some other race	0	0.0	O	0.0	
Two or more races	7	0.5	4	0.4	

(X) Not applicable Source: U.S. Census Bureau, Census 2000 Redistricting Data (Public Law 94-171) Summary File, Matrices PL1, PL2, PL3, and PL4.

City State / ZIP Code Associations

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elmer, nj		Processi

ELMER NJ

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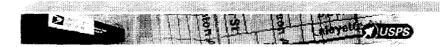


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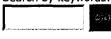






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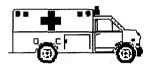
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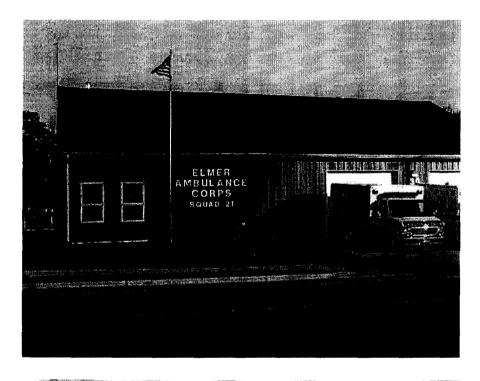
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Business Name	Address	City	Phone
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Cassaday Howard L	522 Garrison Rd	Elmer, NJ	(856) 358-6621
Christ Community Baptist	190 US Highway 40	Elmer, NJ	(856) 358-2228
Country Road Bible Church	277 Harding Hwy	Elmer, NJ	(856) 358-6100
Elmer Presbyterian Church	107 Chestnut St	Elmer, NJ	(856) 358-8888
Elmer United Methodist Church	19 S Main St	Elmer, NJ	(856) 358-0135
Faith Orthodox Presbyterian	545 Daretown Rd	Elmer, NJ	(856) 358-3183
Faith Temple Assembly	1852 Parvin Mill Rd	Elmer, NJ	(856) 696-1695
First Baptist Church Elmer	209 Broad St	Elmer, NJ	(856) 358-6181
Grace Bible Church	153 Burlington Rd	Elmer, NJ	(856) 358-3688
Johnston Dale R	2 Tiverstock Dr	Elmer, NJ	(856) 358-0542
Olivet United Methodist Church	933 Centerton Rd	Elmer, NJ	(856) 358-3232
Pittsgrove Baptist Churches	370 Daretown Pole Tavern Rd	Elmer, NJ	(856) 358-4641
Pittsgrove Presbyterian Church	312 Daretown Rd	Elmer, NJ	(856) 358-8439
St Ann's Church	115 Broad St	Elmer, NJ	(856) 358-3106
Victory Assembly Of God	Rr 553	Elmer, NJ	(856) 769-4512
Willow Grove Methodist Church	1841 Parvin Mill Rd	Elmer, NJ	(856) 696-0811

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Business Name	Address	City	Phone
Arthur P Schalick High School	71a Centerton Rd	Elmer, NJ	(856) 358-2054
Daretown Elementary School	404 Daretown Rd	Elmer, NJ	(856) 358-2108
Elmer Elementary School	207 Front St	Elmer, NJ	(856) 358-6761
Olivet Elementary School	235 Sheep Pen Rd	Elmer, NJ	(856) 358-2081
Pittsgrove Township Schl Dist	1076 Almond Rd	Elmer, NJ	(856) 358-3094
Pittsgrove Twp Middle School	Route 540	Elmer, NJ	(856) 358-8529

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Business Name	Address	City	Phone
Century Savings Bank	121 N Main St	Elmer, NJ	(856) 358-2100
First National Bank	806 Centerton Rd	Elmer, NJ	(856) 358-8141
First National Bank	130 US Highway 40	Elmer, NJ	(856) 358-8141
First National Bank Of Elmer	10 S Main St	Elmer, NJ	(856) 358-8141
Pennsville National Bank	435 Chestnut St	Elmer, NJ	(856) 358-6006
Sovereign Bank	871 Landis Ave	Elmer, NJ	(856) 453-5400
Sovreign Bank	Main St & Harding Hwy	Elmer, NJ	(856) 358-8121

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Coastal Mart	E Front & Main St	Elmer, NJ	(856) 358-9858
Dodge's Market	1 Front St	Elmer, NJ	(856) 358-4571
Eatmor Market	856 Landis Ave	Elmer, NJ	(856) 455-2876
Morgan's Groceries	Gershal Ave & Steinfield Ave	Elmer, NJ	(856) 691-7853
Super Value Of Elmer	115 Front St	Elmer, NJ	(856) 358-3713

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Business Name	Address	City	Phone
Brad's Red Tavern	85 Harding Hwy	Elmer, NJ	(856) 358-3144
Elmer Diner	4915 Harding Hwy	Elmer, NJ	(856) 358-3600
Kountry Kitchen Restaurant	373 Route 40	Elmer, NJ	(856) 358-3986
Leo's Pizza Palace	115 Front St	Elmer, NJ	(856) 358-0600
Stef's Express	401 N Main St	Elmer, NJ	(856) 358-8200
Ye Olde Centerton Inn	1136 Almond Rd	Elmer, NJ	(856) 358-3201

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Anderson's Country Store	1141 Almond Rd	Elmer, NJ	(856) 358-2088
Dodge's Market	1 Front St	Elmer, NJ	(856) 358-4571
Eatmor Market	856 Landis Ave	Elmer, NJ	(856) 455-2876
Fox's Ice Cream Parlor & Deli	389 Harding Hwy	Elmer, NJ	(856) 358-2542
Super Value Of Elmer	115 Front St	Elmer, NJ	(856) 358-3713
Ternay's Deli & Video	1031 Centerton Rd	Elmer, NJ	(856) 358-1255
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Elmer, NJ

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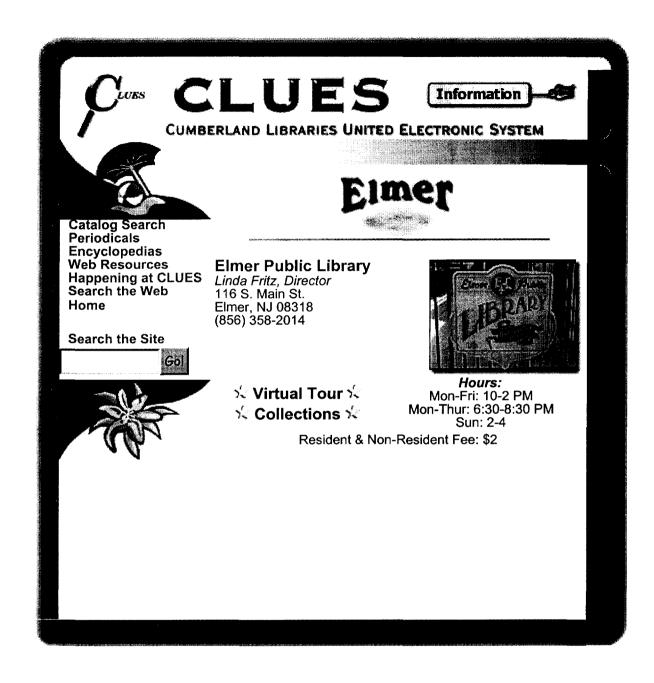
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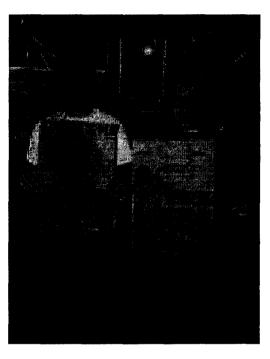
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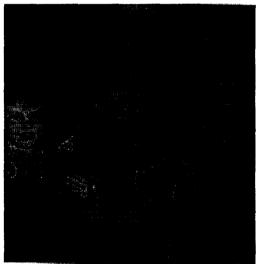
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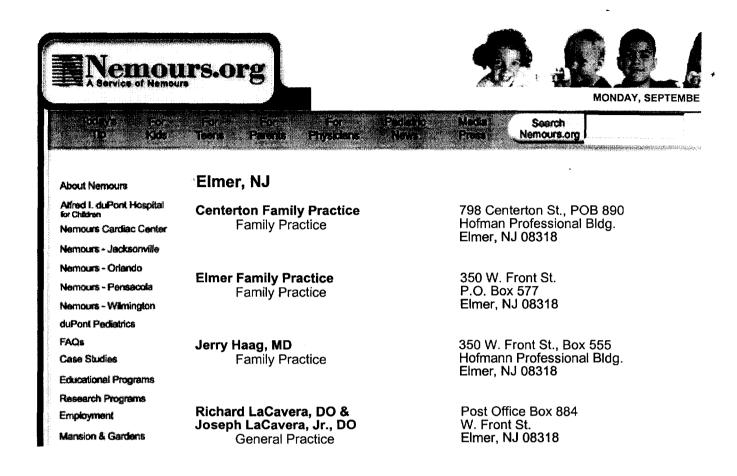
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Schools In Salem County

Salem Community College	Linda Smith	460 Hollywood Ave.	Carneys Point	NJ	08069-	(856) 351- 2643
South Jersey Title Insurance School	John D. Burke	219 North Main St P.O. Box 506	Elmer	NJ	08318-	(856) 358- 9200
Title Academy of New Jersey, LLC	Robert Y. McWilliams	219 North Main Street	Elmer	NJ		(856) 358- 9200

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Passaic

- Barnert Hospital
 680 Dr. Martin Luther King Jr. Way Paterson, NJ 07514 (973) 977-6600
 Fax: (973) 742-6248
- Beth Israel Hospital, Passaic 70 Parker Avenue Passaic, NJ 07055 (973) 365-5000 Fax: (973) 471-5531
- The General Hospital Center at Passaic 350 Boulevard Passaic, NJ 07055-2840 (973) 365-4300 Fax: (973) 916-2044
- St. Joseph's Regional Medical Center
 703 Main Street
 Paterson, NJ 07503
 (973) 754-2000
 Fax: (973) 977-9226
- St. Joseph's Wayne Hospital 224 Hamburg Turnpike Wayne, NJ 07470 (973) 942-6900 Fax: (973) 389-4044
- St. Mary's Hospital Passaic 211 Pennington Avenue Passaic, NJ 07055 (973) 470-3000 Fax: (973) 470-0184

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Salem

- The Memorial Hospital of Salem County, Inc. 310 Woodstown Road Salem, NJ 08079-2080 (856) 935-1000 Fax: (856) 935-8809
- South Jersey Hospital-Elmer
 West Front Street
 PO Box 1090 (Elmer, NJ 08318)
 (856) 363-1000
 Fax: (856) 358-3248

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Somerset

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457 Shirley Road Elmer, Salem County, New Jersey

Appel Farm Announces Fall Concert Series!

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These programs have been made possible in part by funds from the New Jersey State Council on the Arts/Dept. of State, a Partner Agency of the National Endowment for the Arts.

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Elmer Arms & Repair		Elmer, NJ	(856) 358-2473
Elmer Boro Hall	120 S Main St	Elmer, NJ	(856) 358-4010
Elmer Community Hospital Libr	W Front St	Elmer, NJ	(856) 358-2341
Elmer Diner	4915 Harding Hwy	Elmer, NJ	(856) 358-3600
Elmer Door Co	465 Route 40	Elmer, NJ	(856) 358-8392
Elmer Elementary School	207 Front St	Elmer, NJ	(856) 358-6761
Elmer Fire Dept	110 Penn St	Elmer, NJ	(856) 358-4041
Elmer Grange	535 Daretown Rd	Elmer, NJ	(856) 358-8691
Elmer Heart & Lung Ctr	W Front St	Elmer, NJ	(856) 358-7557
Elmer Police Dept	Main St S	Elmer, NJ	(856) 000-1111
Elmer Presbyterian Church	107 Chestnut St	Elmer, NJ	(856) 358-8888
Elmer Public Library	116 S Main St	Elmer, NJ	(856) 358-2014
Elmer Pump Station	Broad & Salem	Elmer, NJ	(856) 358-8366
Elmer Service Ctr	US Highway 40 & Main St	Elmer, NJ	(856) 358-2021
Elmer Times Co	21 State St	Elmer, NJ	(856) 358-6171
Elmer Town Cleaners	11 S Main St	Elmer, NJ	(856) 358-6421
Elmer United Methodist Church	19 S Main St	Elmer, NJ	(856) 358-0135
First Baptist Church Elmer	209 Broad St	Elmer, NJ	(856) 358-6181
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Marti Shadle - Elmer Family Practice	330 Front St # 4101	Elmer, NJ (85	56) 358-0770 <u>PhysicianI</u>
Richard A Dickstein MD - Elmer Heart & Lung Ctr	W Front St	Elmer, NJ (85	56) 358-7557
Super Value Of Elmer	115 Front St	Elmer, NJ (85	56) 358-3713
Susan Ventrella DO - Elmer Family Practice	330 Front St # 2104	Elmer, NJ (85	56) 358-0770 PhysicianI
$\mathbf{A} \mathbf{B} \mathbf{C} \mathbf{D} \mathbf{E} \mathbf{F} \mathbf{G} \mathbf{I}$	HIJKL <u>M</u> N	$\underline{\mathbf{O}}$ $\underline{\mathbf{P}}$ $\underline{\mathbf{Q}}$ $\underline{\mathbf{R}}$ $\underline{\mathbf{S}}$ $\underline{\mathbf{T}}$ $\underline{\mathbf{U}}$	U <u>V W X Y Z</u> all

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